IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1534 OF 2004

IN

WRIT PETITION NO. 3186 OF 1989

Shri Devidas Anant Dixit ...Petitioner
vs.
Shrimati Sonabai Nathu Badekar
and Ors. ....Respondents

Mr. Murlidhar i/b. G.V. Limaye for the petitioner.

CORAM: S.U. KAMDAR, J.

DATE : 25th November, 2005.

P.C. :

1. The present application is taken out to bring the legal heirs of the respondent no.1 on record. The respondent no.1 has expired on 14.10.1991. The application for bringing the legal heirs is on 10.3.2004 i.e. almost after 13 years of the said death of the respondent no.1. The respondent nos.2 and 3 have also expired and the

Civil Application for bringing the legal heirs has already been dismissed for non-prosecution. There is no explanation why there such a delay for taking out the Civil Application save and except that the petitioner has come to know on 16.2.2004. The said case is not believable because the respondent no.1 is the petitioners tenant and thus ought to be within his knowledge. In view of the aforesaid the present application is frivolous and the same is dismissed.

sd/-

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